

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

INTERNATIONAL DIVERS COMPANY, §
INC. d/b/a BEST BET LINE HANDLERS §
v. § Civil Action No. C-08-390
U.S. SHIPPING PARTNERS, L.P. §

**ORDER FOR THE ISSUANCE OF PROCESS OF
MARITIME ATTACHMENT AND GARNISHMENT**

Pursuant to Rule B of the Supplemental Rules for Admiralty or Maritime Claims of the Federal Rules of Civil Procedure, the Court has reviewed the Verified Complaint, an affidavit, and supporting papers asserting a maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure. Based thereon, the Court finds that the conditions set forth in Supplemental Rule B appear to exist.

Accordingly, it is hereby ORDERED that the Clerk of this Court shall issue a process of maritime attachment and garnishment for the vessels ITB NEW YORK, M/V SEA VENTURE, or M/V HOUSTON.

IT IS FURTHER ORDERED that any vessel seized may continue with cargo operations and provisioning of the vessel seized, including all necessary shifting of berths, vessel repair and improvements, or transfer to lay berths or anchorage under *custodia legis* at the risk and expense of the vessel's interest.

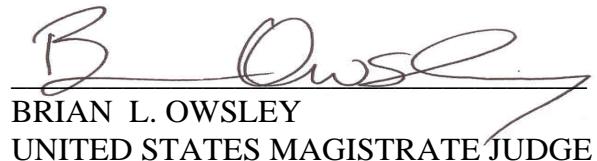
IT IS FURTHER ORDERED that any vessel seized may be released without further Order of the Court if the United States Marshal receives written authorization from Counsel for Plaintiff that he has conferred with attorneys representing all of the interested parties to the litigation, that written consent is filed by Counsel for Plaintiff, and provided that the Court has

not entered an order to the contrary. All of the United States Marshal's costs shall be paid prior to the release of said vessel; and all further custodial costs will be paid by Plaintiff.

IT IS FURTHER ORDERED that any person claiming an interest in the property attached or garnished pursuant to this Order shall be entitled, upon application to the Court, to a prompt hearing at which Plaintiff shall be required to show why the attachment and garnishment should not be vacated or any other relief granted; and

FINALLY, IT IS ORDERED that a copy of this Order be attached to and served promptly with the said process of maritime attachment and garnishment.

ORDERED this 18th day of December 2008.



BRIAN L. OWSLEY
UNITED STATES MAGISTRATE JUDGE